

GOVERNMENT OF TELANGANA

ABSTRACT

Public Services – Panchayat Raj & Rural Development Department– Sri K.Ramanachary,MPDO(Rtd),Shankarapatnam, Karimnagar District- Disciplinary action against Sri K.Ramanachary, MPDO(Rtd) abated under Rule 9 of TSRP Rules, 1980 since the individual expired on 6.12.2012 before conclusion of disciplinary action initiated against him – Orders – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No. 769

Dated: 12-12-2017

Read the following;

- 1.From the CPR&RE, Hyd., Lr.No.3645/CPR&RE/A2/2000, dated:26.02.2014.
- 2.Repren., from Smt K.Vinoda.W/o Late Sri K.Ramachary, MPDO(Rtd) dated:6.7.2015.
3. Govt.Memo.No.5505/Vig.II/A1/2014-2,dt.4.8.2015.
4. From the CPR&RE, Hyd., Lr.No.3645/CPR&RE/E1/2000, dated:13.09.2015.
5. Orders, dated.30.3.2017 of Hon'ble High Court in W.P.No.19022/2016 filed by Smt K.Vinodha, W/o Late Sri K.Ramanachary, MPDO(Rtd), Shankarapatnam, Karimnagar District.
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ORDER:

In the reference 1st read above, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad has submitted the records for concluding the disciplinary action initiated by the Commissioner, Panchayat Raj & Rural Employment, Hyderabad against Sri K.Ramanachary, MPDO (Rtd) on allegation that he has misused huge amounts from the funds of various schemes.

2. In the reference 2nd read above Smt K.Vinodha, W/o Late Sri K.Ramanachary, MPDO(Rtd) has represented that her husband Sri K.Ramanachary while working as MPDO was placed under suspension on account of initiation of disciplinary /criminal case and retired on attaining superannuation while in suspension. On demise of her husband she has requested to release all pensionary benefits considering the circumstances on humanitarian grounds.

3. In the references 5th read above, the Hon'ble High Court in its order, dt.30.03.2017 in W.P.No.19022 of 2016 filed by Smt K.Vinodha, W/o. K.Ramana Chary, MPDO, MPP Shankarapatnam of Karimnagar District has ordered as follows;

"Given the afforested facts, we are opined that the departmental proceedings initiated against the husband of the petitioner as long back as in the year 2000 were not taken to their logical conclusion and in the meanwhile, he died in December, 2012, whereby the said proceedings stood abated. Rule 9(7) of the Rules of 1980 had no application whatsoever to the present case in terms of the provisions contained therein. The Tribunal therefore erred in applying the said rule to the instant case and directing the Government to dispose of the case in terms thereof.

The writ petition is therefore allowed holding that the disciplinary proceedings against the petitioner's husband stood abated on the date of his death and this was not a fit case for invocation of sub-rule / of Rule 9 of the Rules of 1980. The authorities shall settle the pensionary benefits, including Gratuity, Leave Encashment etc., By duly refixing the pay of the petitioner's husband as per the Revised Pay Scales and release the net amount payable in this regard to the petitioner. This exercise shall be completed expeditiously and, in any event, not alter then eight weeks from the date of receipt of a copy of this order".

(PTO)

4. Government after careful examination of the entire matter decided to implement orders, dt.30.3.2017 of the Hon'ble high Court in W.P.No.19022/2016 filed by Smt K.Vinodha,W/o late Ramanachary, Karimnagar Dist. Accordingly, Government have decided to abate further action against late Ramanachary ,MPDO(Rtd),Shankarapatnam of Karimnagar Dist.,under Rule 9 of TSRP Rules,1980 since the individual expired on 06.12.2012 before conclusion of the disciplinary action initiates against him.

5. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad shall take further necessary action accordingly.

6. The orders issues in concurrence of Fin (HRM.V)Department vide U.O.No.2327/32/A1/HRM.V/17,dt.11.8.2017.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)**

To
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.
Smt K.Vinodha,W/o late Ramanachary,MPDO(Rtd) through the Commissioner,
Panchayat Raj & Rural Employment, Hyderabad.

Copy to:-

The Chief Executive Officer, ZPP Karimnagar District.
The Vigilance Commissioner, TVC, Hyderabad.
The Fin(HRM.V)Dept.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER